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# NOTICE OF ALLOWANCE AND FEE(S) DUE

58249

7590

12/30/2008

COOLEY GODWARD KRONISH LLP ATTN: Patent Group Suite 1100 777 - 6th Street, NW WASHINGTON, DC 20001 EXAMINER

FADOK, MARK A

ART UNIT PAPER NUMBER

3625

DATE MAILED: 12/30/2008

308600-2025

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619.173	07/14/2003	Edward R. Price	MILF-001/00US	4997

TITLE OF INVENTION: EXTENDED MANUFACTURING ENVIRONMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	03/30/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

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If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

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IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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### Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

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Alexandria, Virginia 22313-1450 (571)-273-2885 or <u>Fax</u>

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for

maintenance fee notifications. Note: A certificate of mailing can only be used for domestic mailings of the CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 58249 7590 12/30/2008 Certificate of Mailing or Transmission COOLEY GODWARD KRONISH LLP I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below. ATTN: Patent Group Suite 1100 777 - 6th Street, NW (Depositor's name WASHINGTON, DC 20001 (Signature (Date APPLICATION NO. FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. FILING DATE 10/619,173 07/14/2003 Edward R. Price MILF-001/00US 4997 308600-2025 TITLE OF INVENTION: EXTENDED MANUFACTURING ENVIRONMENT APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional YES \$755 \$300 \$0 \$1055 03/30/2009 **EXAMINER** ART UNIT CLASS-SUBCLASS FADOK, MARK A 3625 705-026000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. or agents OR, alternatively, (2) the name of a single firm (having as a member a ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) 4a. The following fee(s) are submitted: lssue Fee A check is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_\_ (enclose an extra copy of this fo Advance Order - # of Copies \_ (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ■ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/619,173	07/14/2003	Edward R. Price	MILF-001/00US 308600-2025	4997
58249 75	90 12/30/2008		EXAMINER	
COOLEY GODWARD KRONISH LLP ATTN: Patent Group			FADOK, MARK A	
			ART UNIT	PAPER NUMBER
Suite 1100 777 - 6th Street, N WASHINGTON, I			3625 DATE MAILED: 12/30/200	8

## **Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 590 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 590 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
	   10/619,173	PRICE, EDWARD R.	
Notice of Allowability	Examiner	Art Unit	
	MARK FADOK	3625	
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in or other appropriate commitments. This application is	n this application. If not included unication will be mailed in due course.	
2. The allowed claim(s) is/are <u>1,3,4,6-12,14-22,24-26,28-32,3</u>	34,36,38,39 and 41-47.		
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the first of the deposit of t	he header according to 37 C sit of BIOLOGICAL MAT	FR 1.121(d). ERIAL must be submitted. Note the	
Attachment(s)  1. ☑ Notice of References Cited (PTO-892)  2. ☑ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date  4. ☑ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ☐ Interview S Paper No 7. ☑ Examiner's	nformal Patent Application formal Patent Application fummary (PTO-413), /Mail Date Amendment/Comment Statement of Reasons for Allowance	

### Response to Amendment

#### Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/15/2008 has been entered. Applicant's remarks and amendment have been carefully considered and were found to be persuasive after the examiner's amendment, therefore the following reasons for allows follows:

# Rejoinder

Claim 1 is directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(b), claims 30,36,38 and 39, directed to species claims dependent upon claim 1, previously withdrawn from consideration as a result of a restriction requirement based on original presentation, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because a claimed invention previously withdrawn from consideration under 37 CFR 1.142 has been rejoined, the restriction requirement of original presentation as set forth in the Office action mailed on 5/13/2008 is hereby withdrawn. In view

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of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

#### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Daniel Bennett on December 4, 2008.

Please delete claims 1,3,4,6-10,12,15,17-21,30,31,36,38,42,43,45-47 and replace with the following:

1. A computer-readable medium storing code representing instructions to cause a computer to perform a process, the code comprising code to:

receive, at a manufacturer's server, a change request associated with at least one product from a customer of the manufacturer;

run a simulation, in response to a request from the customer via a remote client, to determine at least one impact of making the change request;

automatically transmit, in response to the change request and based on the simulation, an order for a first portion of a plurality of supplies to a first supplier and an order for a second portion of the plurality of supplies to a second supplier, the plurality of supplies being needed by the manufacturer to manufacture the at least one product for the customer;

receive an indicator that the order for the second portion of the plurality of supplies has been rejected by the second supplier;

provide the customer in real-time with detailed information about the at least one product as it is being manufactured by the manufacturer; and

restrict interactions between the customer and other customers, the first supplier, and the second supplier.

- 3. The computer-readable medium of claim 1 wherein the at least one impact includes whether the order for the at least one product can be filled by the manufacturer.
- 4. The computer-readable medium of claim 1 wherein the code to transmit includes code to transmit in response to the change request and without approval from the manufacturer.

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6. The computer-readable medium of claim 1 wherein the at least one impact includes at least one of a loss of a ship date, a surcharge for re-assembling the at least one product, and an unexpected increase in price due to a change in sub-components of the at least one product.

- 7. The computer-readable medium of claim 1 wherein the code to receive comprises code to receive the change request which comprises a request for the plurality of supplies.
- 8. The computer-readable medium of claim 1 further comprising code to receive, at the manufacturer's server, a request for detailed product quality information from the customer.
- 9. A system embodied in a computer-readable medium and operable to provide an extended manufacturing environment, the system comprising:

a manufacturing interface module configured to receive a change request from a customer of a manufacturer, automatically process the change request, and automatically pass control to an ordering module;

a simulation module at the manufacturer configured to be triggered by the customer from a customer site separate from the manufacturer to run a simulation such that the customer can determine at least one impact of the change request at the manufacturer;

the ordering module configured to automatically transmit an order for a plurality of supplies to a supplier of the plurality of supplies based on the simulation, the plurality of supplies being needed by the manufacturer to manufacture at least one product for the customer; and

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a communications interface module configured to provide the customer in realtime with detailed information about the product as it is being manufactured by the manufacturer and configured to control interactions between the customer and other customers, the supplier, and other suppliers,

the manufacturing interface module configured to receive an indicator that the order for the plurality of supplies has been rejected by the supplier.

- 10. The system of claim 9 wherein the change request is associated with an order for the at least one product.
- 11. The system of claim 10 wherein the simulation module is configured to run the simulation to determine whether the order for the at least one product can be filled by the manufacturer.
- 12. The system of claim 9 wherein the change request is a request to change an existing order for the at least one product.
- 15. The system of claim 9 wherein the change request is related to a request for the plurality of supplies.
- 17. An article of manufacture having computer-readable program means embodied therein and executable on a computer for providing an extended manufacturing environment, comprising:

computer-readable program means for receiving, at a manufacturer's server, a change request from a customer of the manufacturer;

computer-readable program means for a customer to run a simulation from a remote client to determine at least one impact at the manufacturer of the change request;

computer-readable program means for automatically processing the change request at the manufacturer's server;

computer-readable program means for automatically transmitting an order for supplies from the manufacturer's server to a supplier of the supplies based on the simulation, the supplies needed by the manufacturer to manufacture a first product for the customer and a second product different from the first product;

computer-readable program means for providing the customer in real-time with detailed information about the product as it is being manufactured by the manufacturer;

computer-readable program means for controlling interactions between the customer and other customers, the supplier, and other suppliers; and

computer-readable program means for receiving from the supplier a first indicator that a portion of the order associated with the first product has been rejected and a second indicator that a portion of the order associated with the second product has been accepted.

- 18. The computer-readable medium of claim 1 wherein the detailed information includes quality information about the being-manufactured product.
- 19. The computer-readable medium of claim 1 wherein the detailed information includes quantity information about the being-manufactured product.

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20. The computer-readable medium of claim 1 wherein the detailed information includes information associated with a location of the at least one product within a manufacturing floor, the location being associated with a workstation at the manufacturing floor, the information associated with the location being defined in response to a scanning.

21. The computer-readable medium of claim 1 wherein the detailed information includes statistical process control information about the being-manufactured product.

30. The computer-readable medium of claim 1 wherein the interactions comprise discussion threads,

the computer-readable medium further comprising code to: send an alert based on at least a portion of the discussion threads; and monitor for an acknowledgement of the alert.

- 31. The computer-readable medium of claim 1 wherein the interactions comprise streaming video.
- 36. The computer-readable medium of claim 1 wherein the order for the second portion of the plurality of supplies is rejected based on the at least one product.

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38. The computer-readable medium of claim 1 further comprising code to automatically upload a list of approved suppliers defined by the customer, the first supplier and the second supplier being selected from the list of approved suppliers.

- 39. The computer-readable medium of claim 1 wherein the code to provide includes code to provide via a channelized view uniquely customized for the customer and selected from a set of channelized views, the code to restrict includes code to restrict via the channelized view.
- 42. The computer-readable medium of claim 1 further comprising code to receive from the customer via the remote client an indicator of a rejection of the change request after the running of the simulation.
- 43. The computer-readable medium of claim 1 wherein the order for the first portion of the plurality of supplies is a first updated order, the order for the second portion of the plurality of supplies is a second updated order.
- 45. The system of claim 9 wherein the simulation module is configured to receive from the customer an indicator of a rejection of the change request after the simulation is run.
- 46. The computer-readable program of claim 17 wherein the change request is associated with the at least one product.

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47. The computer-readable program of claim 17 wherein the computer-readable program means associated with the simulation is configured to receive from the customer an indicator of a rejection of the change request.

# Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: Claims 1,3,4,6-12,14-22,24-26,28-32,34,36,38,39,41-47 are allowable.

The following is an Examiner's statement of the reasons for allowance for all independent claims 1,9 and 17.

Claim 1 discloses a method of providing a simulation mechanism that a customer can access to determine what impact a desired <u>change</u> order may have on the original order. After the customer has reviewed the effects of the change the customer releases the order for automatic transmitting of the purchase change order to a secondary supplier. Inter alia, "run a simulation, in response to a request from the customer via a remote client, to determine at least one impact of making the change request;

automatically transmit, in response to the change request and gased on the simulation, an order for a first portion of a plurality of supplies to a first supplier and an order for a second portion of the plurality of supplies to a second supplier, the plurality of supplies being needed by the manufacturer to manufacture the at least one product for the customer" Claims 9 and 17 contain similar features and are allowable for the same rationale.

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Discussion of most relevant art:

### **US Patents and PG-PUB**

- (i) US Patent 5,974,395 to Bellini et al. teaches a system for an electronic planning interchange that provides data related to an integrated infrastructure for planning and scheduling in a real time manner. Bellini, however, fails to render the application's above-mentioned limitations obvious.
- (ii) US PG PUB 20040019604 to Ballas et al teaches a method for automatically placing a manufacturing order based on changes to the order. Ballas, however, fails to render the application's above-mentioned limitations obvious.
- (iii) US PG Pub 200200116346 to Blankenstein et al teaches a method for communicating issues and facilitating resolution of issues in a computerized network. Blankenstein, however, fails to render the application's above-mentioned limitations obvious.
  - (iv) US 7,035,815 to Henson teaches a method for determining an impact on a

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proposed order and returning a indication of the impact for review by the customer.

Henson, however, fails to render the application's above-mentioned limitations obvious because it does not teach that there is a simulation done on an existing order and impact is based on a change order to an existing order.

#### **Non-Patent Literature**

(v) Anonymous, "Material Handling company uses simulation to meet specification", dated Nov 1993, teaches electronically previewing photos with photo frames. Dunham, however, fails to render the application's above-mentioned limitations obvious

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **571.272.6755**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeffrey Smith** can be reached on **571.272.6763**.

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Any response to this action should be mailed to:

#### Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450 or faxed to:

**571-273-8300** [Official communications; including

After Final communications labeled

"Box AF"]

For general questions the receptionist can be reached at

571.272.3600

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/Mark Fadok/ Primary Examiner, Art Unit 3625

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